

**Speech to the Department of Justice's Conference
on the Future Direction of Prostitution Legislation in Ireland.
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Sarah Benson, CEO Ruhama

Good morning. I want firstly to thank the Department of Justice for inviting me to speak today. 15 minutes is a very brief time to convey the 23 years of frontline experience Ruhama has working with thousands of women affected by prostitution,

This, of course in addition to the representative views of the 60 members of the Turn off the red light campaign. However I also recognize that this interesting opportunity to snapshot the varying views on prostitution in Ireland is a part of the broader Oireachtas process which will include public hearings to the Oireachtas committee on Justice and their findings from the public consultation process – all of which is very welcome Minister, thank you.

I spoke to women who have direct experience of prostitution while I was thinking about what – with only 15 minutes- was most important to convey. The response was pretty much the same from them all: Talk about the harm.

The harm of prostitution - to the body, the harm to the sense of self, the harm to society. Just tell it like it is – you can't argue with that they said.

Bodily integrity is a human right – this should be universal. This is a human rights issue in this context. No-one should ever have to be bought in order to survive financially – let alone be sold solely for another person's profit.

Those who argue in favour of prostitution tend to take a utopian view of the sex trade. Regulate it and it will be okay they will say. This will eliminate child prostitution, eliminate trafficking, make it all safer for everybody.

The reality is that this is an utterly unattainable goal. The reality is that prostitution in and of itself is predicated on the availability of vulnerable young girls, the exploitation of vulnerability of impoverished women, in order to ensure that the demand for sex for sale is met.

The sex trade is an inherently violent and harmful environment and legalizing it only gives state legitimacy to those who were previously criminally profiting, and who suddenly become 'sex entrepreneurs'. The people who run prostitution where it is legal are the same people who do it where it is not: people who think it is okay to sell others for profit. These are not florists, for example, who decide to change business model once the law changes.

In countries where legalization (or decriminalization – which is really a lower cost, lower admin version of legalizing) has occurred, prostitution is normalized and buyer

demand has increased. At the same time the safety and wellbeing of women is not enhanced. High demand for paid sex is not possible to meet with a cohort exclusively of free choosing, utterly independent, women who have other viable life choices. Women who feel that prostitution is the career path they wish to take. They are too small in number and so the rest of the women and girls still come from positions of serious vulnerability. I suppose the question is whether we think that this is okay?

Looking at the sex trade in the Irish context it is abundantly evident that there is massive criminal organisation of the indoor scene. There are numerous gangs operating. The vast majority of women are migrant and many are frequently highly controlled.

We meet women every day and while Ruhama have what's referred to as an exiting model this simply signifies that we work with women in the broadest holistic way possible. We operate a person-centred care planning system whereby whatever support we might provide is dictated by what individual women themselves say they need.

For some this may be advocacy and support dealing with Gardaí, for others access to flexible one to one English classes or education grants, for others still advice and information about immigration, social welfare, or addiction services - including referral to additional services ... the list goes on.

For many, irrespective of their particular practical priority needs, the additional support is having someone to talk with who recognises the complexity of prostitution, the impacts it can have, including the emotional wear and tear. Working with caseworkers who don't judge and where this part of women's experience doesn't have to be lied about/glossed over – and can be considered in the round with all of the other factors that may be going on is something women tell us they value.

We are completely non-judgemental of individual women's involvement in prostitution. However, after 23 years witnessing and hearing from women about their experiences and the awful challenges they often face, it is impossible not to judge the systems and structures and the other stakeholders who complete the picture.

Pimps are not 'agents' or 'managers' - they are pimps: making money off the backs of others for high profits and at low risk to themselves.

Buyers: don't care about the reality of women and girls they buy. Their focus is wholly selfish and the persona they adopt with women (be it Mr. Nice guy, rough, polite, disrespectful) is entirely informed by what they want to get from the experience.

At the same time, they invest themselves hugely in believing the façade that is presented, both by the women themselves – and several women bloggers have been extremely eloquent about the work that goes into putting on the persona each man wants during an interaction – and by the fraudulent presentation of prostitution ads on the more prominent websites. These suggest that the majority of the women are 'independent', gives nationality and age details which are extremely frequently spurious, and indicates all the

sex acts which women advertise but which often they don't actually wish to do. Then when the façade slips and they get a glimpse of the reality of the situation what do they do? They write a bad review of the woman on line – because at the end of the day it is all about his good time. And this brings us back to what prostitution is really about.

You can take the sex trade – dress it up – stick on lipstick and a hat; but, as one woman said to me recently:

“Having your anus penetrated, or a strangers cock in your mouth, is the same if you're in the best suite of the Burlington Hotel or in an alley behind it.”

That's what it's about: one person's body being accessed by another, for the *buyer's* personal sexual satisfaction. We can have academic and intellectualized discussions about 'self-actualisation', 'empowerment', 'self-determination' on the part of those in prostitution but none of these concepts account for the impact on the bodily and emotional integrity of those in prostitution who live daily with what you have to do, to be in prostitution.

Some will say it is insulting to use the word 'prostitution' rather than 'sex-work', but I would content that it is insulting to the vast majority of those who find themselves drawn into and stuck in the sex trade to try to pretend that it is something it is not.

If we don't recognize the harm of prostitution and the very real challenges of getting out once you find yourself in that life, then as a society we will stop far short of meeting the needs of those who need support.

Harm reduction, while a vital component of any response, if it does not include real practical supports to exit, is not enough. Supporting someone to be as safe as they can be in prostitution without going further to unpack what brought them into the trade and what they feel are the barriers to exiting (which the majority wish to) is doing them a great disservice.

Discussions presenting prostitution as a form of independent economic migration are another area where the reality of what prostitution actually entails becomes sometimes completely obscured.

The Irish sex buying market is viewed as so lucrative that there are gangs from South America to West Africa to Eastern Europe either encouraging or directly deceiving poor girls to come and prostitute in Ireland.

How is it that so many women find themselves travelling thousands of miles with no English whatsoever to Ireland and within days are up on line with an ad in perfect English - sometimes with sex acts indicated on their 'menu' that they haven't consented to? Not forgetting a room in a flat that is being sub-let to them at a massively inflated and exploitative weekly rate? This is organised prostitution.

Women tell us that they are told before they come that it will be easy and lucrative - that Irish men only like straight sex; that they'll be able to take up other opportunities while they're here such as learning English. The reality for most is that it is far tougher and much more akin to the situation documented in RTE Prime Time's 'Profiting from Prostitution' in February of this year.

At it's hardest edge with organised prostitution we also have women and girls who are deceived here with no awareness at all that they will be in prostitution but they're presented with a debt bondage and often worse as means to traffick them.

I guess the question in relation to migration is this: are we happy to encourage the exploitation of poor migrant girls who are susceptible to the persuasive words of pimps and traffickers who facilitate their 'migration' here solely for the purpose of their prostitution? Is it enough that she may have 'agreed' to come – given that she has almost nothing in her home country?

Are we okay with the fact that most sex buyers are affluent, Irish and white and the majority of those advertised in the sex trade are migrant, poor, without social supports or family here? Is it enough that they get a few quid for their troubles to justify this reality? If the role was reversed, and Ireland was a country with a largely impoverished population would we be okay with the women and girls of the poorest classes being exported to be sexually exploited by the men of another country?

People may make the argument that if it doesn't happen in Ireland those women will simply go, or be brought somewhere else – but the same question persists: Is that okay? Is that reason enough for Ireland to facilitate this exploitation here? Why shouldn't Ireland stand up and be counted as a country that encourages positive economic migration in order to enrich and diversify our society – but not so that one group can be isolated and marginalized for prostitution. And if more and more countries take measures to enshrine a value system that respects the bodily and psychological integrity of everyone – migrant visitor or citizen, this is a clear mechanism to enhance equality for all.

We talk about the Swedish Model but this is really about examining the Swedish Example. We need an Irish Model. I believe there is scope to create an environment in Ireland which is both hostile to those criminally organizing and truly profiting from prostitution while recognizing and ensuring that those who nonetheless find themselves in prostitution are supported and not criminalized. A model of Broad based harm reduction.

We have an excellent model of sexual health provision in the HSE Women's Health Service which has provided free confidential services for 20 years to women in prostitution. Ruhama has an evaluated model of work that is holistic and extensive for those who wish to avail of it. Other services across the country, particularly in Limerick are collaborating to provide joined up responses to women in terms of both health and support.

At the same time the Garda response is increasingly evolving to one which recognizes the value of treating those at the coal face in prostitution with sensitivity rather than automatically criminalizing them – focusing instead on the need to tackle the organizers.

There is no ‘human right’ to buy sex. sex buyers are not a vulnerable group whose rights need protecting in this regard – they are more than likely to be married or in a relationship, be a home owner, middle income and are likely to have had a larger than average number of sex partners (not including through buying sex). More importantly, the minority of men who buy sex in Ireland drive a large and profitable criminal trade.

Of course we recognize, and hope indeed, that the consideration by government to criminalise the sex buyer will be done in the broader context of recognizing that the existing laws are out of date and fall short, making the organized sex trade difficult to police.

Those in prostitution should be de-criminalised. However, decriminalising the other elements of the sex trade, including the sex buyer, just further increases the scope for risk and abuse within it rather than reducing it. Comparing the relative size and numbers in prostitution in countries that have taken different approaches speaks to this. The larger the trade, the larger the scope for the most vulnerable and exploited to be hidden and to slip through the cracks. The more likely services including police will be overwhelmed and under-resourced to respond to the scale of the problem.

People talk about safety - but prostitution is always dangerous. Risk assessment is never truly possible because a victim of a crime cannot be responsible for reading the mind of a perpetrator and therefore preventing their violence. Perpetrators often appear frighteningly normal until the door closes behind them. What is even more true is that when there are pimps involved there is often no opportunity to assess risk from buyers as the transaction is mediated by someone other than the woman.

Updating the 1993 legislation, criminalising the buyers: these elements in law, alongside continued provision of health and social support services for those in prostitution form in our view an Irish Model that will achieve the best outcomes to reduce the degree of exploitation in the sex trade in this country.

I give my last word to a woman who has come through prostitution and who wrote a submission to the Oireachtas Justice Committee. She has kindly given me permission to use some of her thoughts from this in conclusion.

“you must ask yourself”, She says, “Do you believe that people have the right to buy other human beings? When I ask anyone this question, of course they say ‘No’.”

“But when I ask them ‘Do you believe that people have the right to buy other human beings for the purpose of their own sexual gratification?’, they sometimes hesitate, I understand where this hesitation comes from, because they think ‘well if she/he is

offering it', " what's the problem, two consenting adults, a business transaction! I say no, this question requires a yes/no answer, you either believe it or you don't, end of!"

"I stood on that street selling myself but I always knew they had no right to buy me. There are many reasons why women/men find themselves in prostitution and all of them have nothing to do with feeling empowered and even if they did feel delusionally empowered, I don't care if he/she is offering themselves up in a gold bikini on a silver platter in the pent house suite of the Berkeley Court, no one actually has the right to buy them, period!"

She continues "I believe we struggle because for the most part the men who buy human beings for sex are good citizen's, in that they are in gainful employment, so they pay their taxes, they pay their rent or buy homes with their partners, they have 2.4 children, they tick every box the society deems to be correct, so we allow them this little indulgence. How we allow it is ... through silence and keeping it legal. For the men who bought me and all the other women, the men that feed this twisted industry, they walk among you everyday, they are fathers, husbands, colleagues etc we don't want to acknowledge that the good citizen [could be] a bad human being, I understand that fear, for we hate to upset societies little applecart."

"I, on the other hand would be viewed as a bad citizen, I didn't have a job, I was supported by the state, I was a heroin addict and worst of all, I stood on a public street displaying my wears, luring these good citizens to me, as if they had no choice."

"But I am a good human being, I always have been. This is the balance you must find between the good citizen and the good human being and which one of us comes first in the que for protection."

Thank You